

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: '318 PATENT INFRINGEMENT)
LITIGATION)

Civil Action No. 05-356-KAJ
(Consolidated)

STIPULATION AND ORDER

WHEREAS plaintiffs Janssen Pharmaceutica N.V., Janssen, L.P. and Synaptech, Inc. (collectively "Janssen") and defendants Mylan Pharmaceuticals, Inc. and Mylan Laboratories, Inc. (collectively "Mylan") have been litigating the issue of alleged infringement of U.S. Patent No. 4,663,318 ("the '318 patent") predicated on Mylan's filing of an Abbreviated New Drug Application, No. 77-590, to obtain approval for the manufacture, use and sale of galantamine hydrobromide oral tablets equivalent to 4, 8 and 12 mg base, beginning in Civil Action No. 05-371-KAJ ("the Mylan Action"); and

WHEREAS the Mylan Action was consolidated with similar cases Janssen commenced against several other defendants; all of which have been consolidated in this Court under the above caption and in Civil Action No. 05-356-KAJ ("the '318 Action");

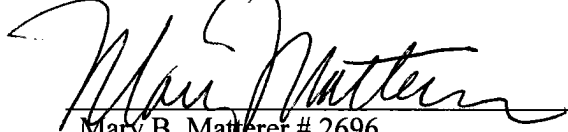
IT IS HEREBY STIPULATED AND AGREED, between Janssen and Mylan, through their undersigned attorneys, that:

1. This Mylan Action is STAYED; and
2. If a judgment of invalidity is entered in the '318 Action, the stay shall be lifted and such a judgment shall be entered in the Mylan Action at the same time;

3. If a judgment of unenforceability is entered in the '318 Action, the stay shall be lifted and such a judgment shall be entered in the Mylan Action at the same time;
4. If a judgment in favor of Janssen is entered in the '318 Action, the stay shall be lifted and such a judgment shall be entered in the Mylan Action at the same time;
5. Notwithstanding entry of a final judgment in the '318 Action concerning the issues of willful infringement and/or exceptional case under 35 U.S.C. § 285, no such judgment shall be entered in the Mylan Action, both parties having agreed to waive any claim for attorney's fees against the other in the Mylan Action;
6. Any judgment entered in favor of Mylan herein as a result of a judgment in the '318 Action shall be subject to appeal by Janssen in that Action;
7. Any judgment entered in favor of Janssen herein as a result of a judgment in the '318 Action may be appealed by Mylan on the record in the '318 Action;
8. In the event that judgment in favor of Janssen is not appealed by Mylan, but is vacated, modified, affirmed or reversed on appeal in the '318 Action, then such judgment shall be applied in the same manner to any judgment entered in this case;
9. Notwithstanding the foregoing, either party may move to lift the stay for good cause shown;

10. Good cause, as set forth in paragraph 9 above, includes either the settlement of the '318 Action against all remaining defendants to that action, or the entry of a stipulation to stay the '318 Action proceedings against all remaining defendants to that action; and
11. Should Mylan move to lift the stay in the Mylan Action and/or the '318 Action, it hereby agrees to permit Plaintiffs to complete their discovery in the '318 Action and to an adjustment of the schedule to accommodate the completion of such discovery.

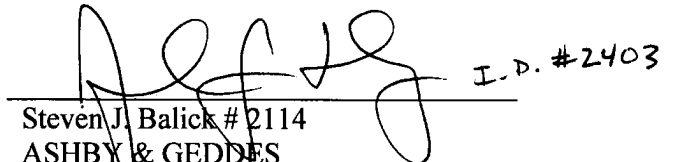
Dated: June 16, 2006



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L.P. and Synaptech, Inc.

SO ORDERED:

Dated:

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of June, 2006, the attached **STIPULATION AND ORDER** was served upon the below-named counsel of record at the address and in the manner indicated:

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/s/ John G. Day

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